



CEDAR CITY

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www.cedarcity.org

Mayor
Joe Burgess

Council Members
Ronald R. Adams
Nina R. Barnes
John Black
Paul Cozzens
Don Marchant

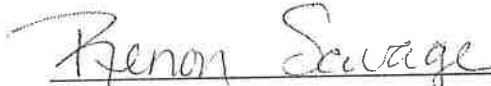
City Manager
Rick B. Holman

MUNICIPAL BUILDING AUTHORITY MEETING OCTOBER 2, 2013

The Cedar City Municipal Building Authority will hold a meeting on Wednesday, October 2, 2013, at 5:30 p.m., in the Council Chambers at the City Office, 10 North Main Street, Cedar City, Utah. The agenda will consist of the following items:

- I. Call to Order
- II. Agenda Order Approval
- III. Administration Agenda
 - Mayor and Council Business
 - Staff Comment
- IV. Public Agenda
 - Public Comments
 1. Approval of Minutes dated September 4, 2013
 2. Public hearing to receive input with respect to the issuance of the Lease Revenue Bonds for the purpose of (i) financing a portion of the cost of acquiring fire trucks and related public safety equipment; and (ii) any potential economic impact that the equipment financed in whole or in part with the proceeds of the Bonds may have on the private sector

Dated this 30th day of September, 2013.


Renon Savage, CMC
City Recorder

CERTIFICATE OF DELIVERY:

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 30th day of September, 2013.


Renon Savage, CMC
City Recorder

Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the City not later than the day before the meeting and we will try to provide whatever assistance may be required.

MUNICIPAL BUILDING AUTHORITY MINUTES
SEPTEMBER 4, 2013

The Municipal Building Authority held a work/action meeting on Wednesday September 4, 2013, at 5:30 p.m. in the Council Chambers at the City Office at 10 North Main Street, Cedar City, UT.

PRESENT: Chair Ron Adams; Secretary Don Marchant. Members: Nina Barnes; John Black; Joe Burgess; Paul Cozzens.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Marshal Mike Phillips; Leisure Services Director Dan Rodgers; Senior Engineer Jonathan Stathis; Grounds Maintenance Mechanic Tyler Bradshaw; Heritage Center Manager Jason Clark.

OTHERS PRESENT: Nick Howell, Betsy Carlile, Richard Clark, Connie Wallace, Gavin Hollinger, Cindy Hollinger, Erin Bennion, Tom Jett, Maile Wilson, Bev Burgess, Johnathan Ward, Shari Rudd, Kerry Fain, Chad Fain, Ann Johnson, James Trujillo, Dolly Trujillo Wearn, Marc Wearn, Natalie Avila, Joe Avila, Bryce Garant, True Garant, Jason Dozier, Lori Orton, Robert W. Johnson, Wayne Christensen, Edward Hartry, Marcia Hartry, Amy Greenwood, Richard Chamberlain, Doug Hall, Harley Thompson, Fred Rowley.

CALL TO ORDER: Councilmember Adams gave the opening prayer; the pledge of allegiance was led by Mayor Burgess.

AGENDA ORDER APPROVAL: Mayor Burgess pulled item #5 off the City Council meeting agenda.

Councilmember Barnes moved to approve the agenda order of this meeting and the City Council work meeting; second by Councilmember Cozzens; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Marchant – congratulations to the Police Department for providing us with a safe environment during the arrival and departure of the Bandido's. I have heard many good comments; there were limited incidents if any. The weather also helped us.

■Employee of the month, Jonathan Stathis – EAC: Tyler Bradshaw – on behalf of the EAC we recognize Jonathan. He has worked for Cedar City for over 12 years and has been the engineer responsible for the water, wells, tanks, pumps, water transmission lines. Jonathan's attention to detail and desire for quality has resulted in a water system that is much more dependable, and improved water system. He has also been responsible for the engineering over site on other numerous City and developer projects. During the last year, while the other engineers in the department have been working on the 300 West storm drain, Jonathan has been doing all the engineering duties on any other project the City Engineering Department has been involved with including the old downtown street light upgrade and banner pole project and several developer projects.

Jonathan is extremely conscientious and as mentioned, no detail goes unaddressed in his work. He also voluntarily works any amount of time it takes to get things done and consistently works many hours beyond the 40 hour work week. Jonathan has both a bachelors and master's degree in engineering and is a licensed professional engineer. . Cedar City is very fortunate to have such a hardworking and dedicated employee as Jonathan.

PUBLIC COMMENTS: ■Gavin Hollinger, born in Cedar City been here my whole life and love the community. I have one issue with residential treatment facilities. In 2004 a high school friend of mine was murdered in one at Maximum Life Skills. In 2007 I had to relocate my family because Integrity House moved in across the street and the timeline getting the operator charged with sexual crimes. In 2013 I have another one opening across from me and I feel helpless. ■Harley Thompson, 1335 South 860 West across the street from the home Mr. Hollinger talked about. I have a concern, I read from the literature from Chrysalis on the internet, minimal staff support. I have a Masters in Human Resources, worked in Mental Health with clients, worked for the Virginia Department of Corrections and school system with Behavioral students. My concern is that the requirements for supervisor people, direct support staff or team player says need background check, 18 years of age with a diploma or GED, communicate in verbal and written forma and have good judgment. I can't see an 18 to 21 year old work in this type of environment. The Team manager or leader has the same qualification with supervisor positions. I am not sure they can handle or hire adequate supervisory people for \$7.50, \$10.00 or \$12.00 per hour. They will house 4 intelligent, challenged individuals with one supervisor during the day, to me that is a problem. ■Erin Bennion, I live down the street. I have 3 children ages 14, 12, and 10. They say they can house up to 4 adults, legally they can house 10 individuals. I have seen some of the individuals, I am a nurse and very compassionate to those mentally challenged or disabled. The people staying there are shady characters. We have a walking path behind our house. These are adult males, with tattoos, smoking and I have yet to see supervisors. Other concerns I have is the LDS Church is down the street, all of our kids walk to the church for various activities. Another concern I have, does the property owner plan to have any liability insurance, I want their policy number and amount of insurance. If something happens to our children I will go after not only Chrysalis but the property owner. ■Dolly TrujilloWearn, I don't have children, but I do have grandchildren, and this house is next door to us. My father is home alone all day. The path is behind the home, there is a lot of traffic. The value of our home goes down. Our main concern is the children. I am compassionate; my brother has a school here in Cedar for this type of individuals. ■Cindy Hollinger, when Christopher Hansen purchased the property on July 13, 2013, we were excited. Mr. Hansen had other intentions, did not intend to live in the home, he is the resource director for Chrysalis and planned to rent the home. I talked to Mr. Hansen and he said he does not have a business license at this location yet. We have gone through this with Integrity House. While I was delivering flyers I saw the supervisor walking two blocks down the sidewalk smoking, I thought that was weird he was walking down the street, smoking, talking on the phone. We are not a subdivision to turn our back. Our CC&R's say only single family residents, and no things conducted that are unsafe to any person or property. I think it is unsafe. Watching what they do. The owner has not taken care of the lawns; if that is how he cares for individuals I wonder how he will care of them. ■Nick Howell, I live at 1350 South, I have

lived in my home for 8 years, this is the first I have heard of this. My concern is there are a lot of children. I came to get more details before I jump to conclusions. It is a family oriented neighborhood, but I am concerned about the safety of the children, and also the property values. The most information I have received is based on the comments this evening and very little notification. ■Maria Hartry, my question is if the conditions of the subdivision are that the homes are single family dwellings only, how does this person that doesn't live in Cedar City, buy the home and employed by the company, turn it in the business if the conditions don't allow it. How did the real estate agent sell under this understanding? We have grandchildren and great grandchildren that visit. Nick has two children and I am upset about the whole thing. ■Mayor – we will check it out to see if our ordinances are being followed. The best option, if there isn't anything they are doing against ordinance, is for you to band together, your CC&R's gives you the ability to get them out of there. Cedar City cannot do anything for your CC&R's that is probably your best option. Barnes – can they not do that at the same time as we look at it? Mayor – there are a number of these homes around town, you are lucky if your subdivision has CC&R's that prohibit that.

APPROVAL OF MINUTES DATED JUNE 5 & 12, 2013: Councilmember Marchant moved to approve the minutes of June 5 & 12, 2013; second by Councilmember Barnes; vote unanimous.

CONSIDERATION AND ADOPTION OF A RESOLUTION AUTHORIZING AN ANNUALLY RENEWABLE LEASE, A MASTER RESOLUTION, SECURITY DOCUMENTS AND THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS MUNICIPAL BUILDING AUTHORITY OF CEDAR CITY, IRON COUNTY, UTAH LEASE REVENUE BOND, SERIES 2013 TO FINANCE THE COST OF ACQUIRING EQUIPMENT AND ACCESSORIES APPURTENANT TO THE CITY'S PUBLIC SAFETY FACILITIES AND THE OPERATION THEREOF; CALLING OF A PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF LEASE REVENUE BONDS AND ANY IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE FACILITY TO BE FUNDED BY THE BONDS; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED:

Jonathan Ward – introduce Richard Chamberlain, the author of the legal documents. This is the first step in the issuance of the bonds; it is a little different because it is the MBA instead of the City. The MBA is a non-profit corporation to hold real estate or personal property. We are financing fire trucks. We are trying to sell \$1.27 million of bonds to be paid over 15 years at the rate of 1.5%, and the investor is the State of Utah through the Community Impact Fund Board to help us finance equipment. They also bought the Aquatic Center bonds. We have a calendar of events, this being the initial step and calls for a public hearing that will be held on October 2nd.

Richard Chamberlain from Richfield, and I am proud to admit that LaVell and Quinn Chamberlain are my uncles. The resolution you have before you is a Parameters Resolution to authorize the issuance for more than you plan to get from the CIB, with a term not to exceed 20 years. We don't anticipate you getting more than a \$1.2 million, but they like us

to authorize more than you anticipate. With a lot of construction projects the engineer's estimates are below what the bids come in, so they like you to authorize more. We are pushing this through as quickly as we can so you can hold on to the bid that you have. You have to pay by mid-October or lose the contract. Something could happen with the manufacturer and you would have to pay more, you could probably go back to CIB and be understanding and we would be covered by the resolution. You have received tentative approval, but not formal approval, but they are sympathetic to your situation. We are trying to close this on October 8th and the formal meeting from CIB won't happen until October 3rd. We don't know the payment schedule, Jonathan has prepared a payment schedule, but CIB likes round numbers so your annual payment won't be the same every year. Tonight the resolution authorizes a publication of a notice to issue the bond; we have made arrangements with the Spectrum to have it in the paper tomorrow. I hope you will approve this, that starts a 30 day protest period and CIB won't give you the money until the 30 day period expires. Bill Prater, the attorney for CIB is very busy, I met with him to find days he has and so we scheduled the 8th for a closing date. Councilman Adams, the closing might be in Richfield, but might be in Salt Lake, everyone can probably pre-sign, and we may be able to pre-sign everything, we shouldn't have any glitches, the things that cause the glitch we shouldn't have unless there is a surprise from the manufacturer. If we can't close, CIB is usually accommodating, they will allow the money to be put into your escrow account, but you can't take it out until everything is worked out, but that requires an addendum, that is why CIB when they have a closing they want the Mayor or the MBA Chair Adams to sign the addendum if there is a glitch. We have about lined up all the stars already. The public hearing will have a separate notice that will be held on the 12th. The purpose of the meeting is to allow public input on any impact that the project will have on the private sector. The reason the legislature came up with that because on the Wasatch Front cities were building gyms that were competing with the public sector. I don't think anyone is privately providing fire safety so it makes no sense at all, but it is required by State Statute. If people come out let people ask their questions and discuss any competition you may be creating. By using the Building Authority it can be a lease revenue bond, if not a revenue bond it would have to be a GO bond and have an election. With the Building Authority it can be a lease revenue bond without an election.

Mayor Burgess moved to approve the resolution for the MBA lease revenue bond, series 2013; second by Councilmember Cozzens; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

ADJOURN: Councilmember Barnes moved to adjourn and move into the City Council work meeting at 6:10 p.m.; second by Councilmember Black; vote unanimous.

Renon Savage, CMC
City Recorder